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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(OAKLAND DIVISION)

1 KEN WALTERS and JOHN BONILLA, in
2 their respective capacities as Trustees of the
3 OPERATING ENGINEERS HEALTH AND
4 WELFARE TRUST FUND FOR NORTHERN
5 CALIFORNIA, et al.,

6 Plaintiffs,
7 v.
8 GOLDEN GATE CRANE & RIGGING, INC.,
9 Defendant.

10 KEN WALTERS and JOHN BONILLA, in
11 their respective capacities as Trustees of the
12 OPERATING ENGINEERS HEALTH AND
13 WELFARE TRUST FUND FOR NORTHERN
14 CALIFORNIA, et al.,

15 Plaintiffs,
16 v.
17 GOLDEN GATE CRANE & RIGGING, INC.,
18 ROBERT NEWBERRY, SUE NEWBERRY,
19 et al.,
20 Defendants.

Case No.: C06-1906 WHA [DMR]

Consolidated With

Case No.: C06-5396 WHA [DMR]

**AMENDED ORDER SETTING DEBTOR'S
EXAMINATION ROBERT NEWBERRY,
IN HIS CAPACITY AS AN OFFICER OF
JUDGMENT DEBTOR GOLDEN GATE
CRANE & RIGGING, INC.**

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**ORDER SETTING GOLDEN GATE CRANE & RIGGING, INC. DEBTOR'S EXAMINATION
CASE NO.: C06-1906 WHA [DMR] & C06-5396 WHA [DMR]**

1 Pursuant to Ex Parte Application of the Judgment Creditors for issuance of this Court's
2 Order Scheduling Judgment Debtor Examination, and Good Cause Appearing therefore,

3 IT IS HEREBY ORDERED, ADJUDGED and DECREED that:

4 1. Robert Newberry, as an officer of Judgment Debtor Golden Gate Crane & Rigging,
5 Inc. shall personally appear on **December 7, 2011 at 9:30 a.m.** at Oakland Courthouse,
6 Courtroom 4 - 3rd Floor, 1301 Clay Street, Oakland, CA 94612, California before the Magistrate
7 Judge Donna M. Ryu then and there to be examined on oath concerning Judgment Debtor's
8 property or other matters material to the proceeding.

9 2. Pursuant to stipulation with Judgment Debtor's counsel Diane Aqui, Judgment
10 Creditors shall serve Robert Newberry, officer of Judgment Debtor Golden Gate Crane & Rigging,
11 Inc., by mail, at his residence address located at 6182 Skyfarm Drive, Castro Valley, CA 94552
12 with a copy of this Order and shall provide proof of such service to the Court not less than five (5)
13 days before the Judgment Debtor's Examination.

14 3. Should Judgment Debtor fail or refuse to appear at the Judgment Debtor
15 Examination herein scheduled, or to produce the documents pursuant to F.R.C.P. 34, this Court
16 may adjudicate Judgment Debtor guilty of civil contempt of its orders and may issue a warrant or
17 seizure order to compel compliance with this Order.

18 DATED this 23rd day of August, 2011



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20 UNITED STATES MAGISTRATE JUDGE
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DONNA M. RYU